

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT W. JOHNSON
RT 2 BOX 83
SILVERTON, OR 97381

EDER BROTHERS, INC.
11690 HOOK ROAD
MOUNT ANGEL, OR 97362

confirms the right to use the waters of the PUDDING RIVER, UNNAMED STREAM, AND RESERVOIR constructed under Application R-44205, Permit R-5107, tributary to the MOLALLA RIVER for IRRIGATION of 28.0 ACRES and SUPPLEMENTAL IRRIGATION of 18.8 acres.

This right was perfected under Permit S-33026. The date of priority is OCTOBER 27, 1967. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.59 CUBIC FOOT PER SECOND (CFS), being 0.35 cfs from Pudding River for primary irrigation and 0.24 cfs from the unnamed stream and reservoir for supplemental irrigation, or its equivalent in case of rotation, measured at the points of diversion from the stream.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
6 S	1 W	WM	16	NW SW		RIVER: 3560 FEET SOUTH AND 2510 FEET WEST FROM THE N1/4 CORNER OF SECTION 16
6 S	1 W	WM	16	NW SE	3	STREAM: 2840 FEET SOUTH AND 250 FEET EAST FROM THE N1/4 CORNER OF SECTION 16
6 S	1 W	WM	16	NW SE	3	RESERVOIR: 2970 FEET SOUTH AND 300 FEET EAST FROM THE N1/4 CORNER OF SECTION 16

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated from direct flow, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit R-5107. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
6 S	1 W	WM	16	NE SW			5.2
6 S	1 W	WM	16	NW SW			22.8

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
6 S	1 W	WM	16	NE SW			5.9
6 S	1 W	WM	16	NW SE	3		12.7
6 S	1 W	WM	16	SW SE		59	0.2

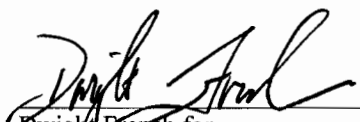
This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within 60 days of the date of service.

This certificate describes the water right confirmed by Certificate 40304, State Record of Water Right Certificates, as modified by the provisions of an order of the Water Resources Director entered NOV 29 2010, that approved Transfer Application T-11061 and diminished a portion of this right to supplemental irrigation. This certificate supersedes Certificate 40304.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed NOV 29 2010.


Dwight Rensch for
PHILIP C. WARD, DIRECTOR